

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Net Jets, Inc. :
and Columbia Insurance Company, : Civil Action 2:12-cv-0059
Plaintiffs : Judge Frost
v. : Magistrate Judge Abel
IntelliJet Group, LLC, :
Defendant :
:

Discovery Dispute Conference Order

On July 11, 2013, counsel for the parties participated in a telephone conference with the Magistrate Judge.

Plaintiff objected to five declarations defendant offered in support of its June 27, 2013 motion for summary judgment because the declarants had not previously been identified by defendant as potential witnesses supporting its defenses. Defendant agreed to withdraw the declarations of James Hagerty, Jason Leavelle, Marcus H. Henning, Michael Laugher, and Steven Dandeneau. (Summary Judgment Exhs. F-J, Docs. 50-14, 50-15, 50-16, 50-17 and 50-18, PageID 1689-1698.) Defendant will withdraw these exhibits and substitute a brief supporting its motion for summary judgment that does not reference them.

During the conference, plaintiff's counsel said that his client will not offer affidavits or declarations from Mike Midriff or John Odegard to support its opposition to defendant's motion for summary judgment. Consequently, my July 2, 2013 Order to Show Cause is

MOOT as it applies to the motion for summary judgment. Plaintiff need not respond to the Order.

s/Mark R. Abel
United States Magistrate Judge